

**Legislative
Council Staff***Nonpartisan Services for Colorado's Legislature***REVISED
FISCAL NOTE**

(replaces fiscal note dated February 5, 2018)

Drafting Number: LLS 18-0042
Prime Sponsors: Sen. Grantham
Rep. Lundein

Date: April 18, 2018
Bill Status: House SVMA
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Bill Topic: SENATE STATE OFFICE NOMINEE REJECTION EFFECTS

**Summary of
Fiscal Impact:** **No Fiscal Impact.** This bill clarifies the procedures following a Senate rejection of a Governor's nominee. This bill may move or delay work within state agencies but is not expected to impact revenue or expenditures for any state agency.

**Appropriation
Summary:** No appropriation is required.

**Fiscal Note
Status:** This revised fiscal note reflects the reengrossed bill.

Summary of Legislation

This bill specifies that when the Senate rejects a Governor's nominee for state office, that individual is deemed "legally unfit" and the Governor cannot nominate the rejected individual to the same office for a second time. If a nominee is rejected for reappointment, the individual is removed from office once his or her term is up and cannot exercise the duties of the office, even if a replacement has not been named. The rejected individual is eligible to be nominated or reappointed when a new Senate convenes for its first regular session and can be appointed to the office following the day when the new Senate adjourns its first regular session.

Background

Under Section 1 of Article XII of the Colorado Constitution, any person who holds a civil office, under the state or any municipality, will exercise the duties of the office until a "successor is duly qualified," unless they are removed according to the law. Since 2013, the Senate has rejected one Governor's appointment.

Assessment of No Fiscal Impact

This bill has the potential to delay or adjust workload within state agencies, if a vacancy is not filled. Based on past data, this fiscal note assumes that vacancies as a result of this bill will be minimal and will not affect any state agency's revenue or expenditures.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

All State Agencies